IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 16TH OCTOBER 2006 / 24TH ASWINA 1928

Bail Appl..No. 5856 of 2006

CMP.5278/2006 of MUN-MAGI COURT, PARAVOOR
CRIME NO.250/2006 OF PARAVUR POLICE STATION

.....

PETITIONER/ACCUSED

BIJU, AGED 23, S/O.GOPALAN,
CHARUVILTHODY VEEDU, PERUMPUZHA,
KURUMANDAL B.WARD, PARAVUR VILLAGE,
KOLLAM DISTRICT.

BY ADV. SRI.V.VENUGOPALAN NAIR
SRI.C.UNNIKRISHNAN (KOLLAM)

RESPONDENTS:

STATE OF KERALA REPRESENTED BY
CIRCLE INSPECTOR OF POLICE, PARAVUR,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5856/2006

DATED THIS THE 16TH DAY OF OCTOBER, 2006

O R D E R

The petitioner is accused of the offence punishable under Sections 450, 377 and 511 of 376 IPC, in crime No.250/2006 of Paravur Police Station. It is alleged that the petitioner had trespassed into the house and attempted to commit rape on the victim, a girl aged about 17 years, a neighbour and relative of the complainant. The examination of the victim was done by the local doctor. It show that there were two healed abrasions below the right breast, one on the upper abdomen, and one abrasion below the right clavicle. The chemical analysis report is not available. The petitioner remains in judicial custody from 15.9.2006. Hence this application under Section 439 Cr.P.C.

2. After hearing both the counsel as well as the prosecution and considering the stage of the investigation, I grant bail and release the petitioner from jail, subject to

the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Paravur.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Thursday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 19.10.2006, and thereafter, on the first working day of every month, between the same timings, till the completion of the trial and final disposal of the case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs